

Commissioners

MARISEL A. HERNANDEZ, *Chair*
WILLIAM J. KRESSE, *Commissioner/Secretary*
JONATHAN T. SWAIN, *Commissioner*
LANCE GOUGH, *Executive Director*



Board of Election Commissioners for the City of Chicago
Minutes of Regular Board Meeting
June 11, 2019, 11:00 a.m.

69 West Washington Street, 8th Floor Conference Room, Chicago, Illinois 60602

Board Members:

Marisel A. Hernandez, Chairwoman
William J. Kresse, Commissioner/Secretary
Jonathan T. Swain, Commissioner

Staff:

Lance Gough, Executive Director
Charles Holiday, Assistant Executive Director
Adam W. Lasker, General Counsel
James P. Allen, Communications Director
Peter Peso, Deputy Chief Administrative Officer
Bill Perez, Hispanic Outreach Coordinator
Lacretia Dandridge, Manager-Human Resources
Shelia Johnson-Wetzel, Telecommunications Supervisor
Sarita Villarreal, Consultant
Trupti Patel, Law Clerk
Isabel Launspach
Geneva Morris, Videographer
Trish Sheehy

Guests:

Helene Gabelnick, League of Women Voters of Chicago (LWV Chicago)
C. Betty Magnus, Rainbow P.U.S.H.
Judd Ryan, ES&S
Sheannse Smith, Dominion Voting
Ryan O'Donnell

- I. Call to Order 11:05 a.m.
- II. Roll Call: All present
- III. Consideration of Agenda: No change
- IV. Approval of Minutes:
 - A. Minutes of the Regular Board Meeting of March 26, 2019
Commissioner Swain moved to approve the Minutes of the Regular Board Meeting of March 26, 2019. Commissioner Kresse seconded the motion.
The motion passed by unanimous vote of the Board.

B. Minutes of the Special Board Meeting of April 2, 2019

Commissioner Swain moved to approve the Minutes of the Special Board Meeting of April 2, 2019. Commissioner Kresse seconded the motion. The motion passed by 3:0 vote of the Board.

C. Minutes of the Regular Board Meeting of April 9, 2019

Commissioner Swain moved to approve the Minutes of the Regular Board Meeting of April 9, 2019. Commissioner Kresse seconded the motion. The motion passed by 3:0 vote of the Board.

V. Executive Director's Report

Executive Director Lance Gough reported as follows:

- The League of Women Voters (LWV) held an event on Sunday at the Thompson Center celebrating the 100th anniversary of the passage of the 19th Amendment. Mr. Gough had spoken with Communications Director Jim Allen and they want to include some information regarding the 19th Amendment and the anniversary in some of our publications for the 2020 elections.
- Staff has been working on contingency planning. They have been holding meetings on Tuesdays through Thursdays for the last few weeks and will continue until the plan is complete. Mr. Gough thinks that the Board will be proud of the agency when they receive the report.
- We have received a quote on carpeting repairs. It is not as high as expected, they are using squares not rolls to replace/repair sections of the carpeting.
- Mr. Gough hopes to meet with voting equipment manufacturers. The plan is to have the equipment ready for the 2020 elections. Mr. Gough and Assistant Executive Director Charles Holiday have an outline as to what we need so that we can get the best and final offers and only one contract.

A. Assistant Executive Director's Report

Assistant Executive Director Charles Holiday reported as follows:

- He has been working with the Board's staff, including Districts and Boundaries Department, to reduce the number of precincts. We have identified 513 precincts that can be removed. We will be sending out letters with draft maps and current maps to the Aldermen and Committeepersons this week. After we sit down with them, we may end up with a little over 400. Mr. Holiday doubts that we will remove any more than 513 precincts.

With the surge in Early Voting (EV) and Vote by Mail (VBM), in-precinct Election Day voting numbers are down. (This is based on the last 6 elections.)

Where we have combination polling places (voters of multiple precincts voting at the same polling place), we would combine the precincts into one precinct. The distance a voter would have to travel to vote will not be any different because we are combining the precincts at the current polling place, not

creating new polling places. We would not have to redraw precinct lines, just remove lines.

Mr. Gough pointed out that whenever we change lines it is difficult. The sooner we get the redistricting done the sooner we can get the mailing out to the voters. We are targeting an August 1st mailing, but we have until 90 days before the election to have it completed.

Commissioner Kresse asked for an estimate in cost savings and whether the cost savings will include the number of Judges of Election. Mr. Gough said that we will not be eliminating full sets of Judges of Election as we may have to increase the number in order to deal with the larger number of voters. However, the new precincts would have more complete corps of judges per precinct.

- We interviewed candidates to fill the Procurement Agent vacancy. Mr. Holiday and the committee submitted their recommendations to Mr. Gough. Mr. Gough has forwarded the recommendations to the Board members.
- Mr. Holiday reiterated that he and the managers are working with Mr. Allen on contingency planning.
- Mr. Holiday has been meeting with ES&S regarding putting Form 21AD on the e-poll books for the Election Coordinators (EC's). This way, the EC's, rather than filling out more paperwork at the polls on Election Day, they can just complete the form on the e-poll book.

B. Communications Director's Report

Communications Director Jim Allen reported as follows:

- Mr. Allen stated that most of his items had been covered in Mr. Gough's report.
- Regarding contingency plan elements, we had nine meetings last week, we had one meeting this morning, seven or eight more planned for this week, and a few more the following week. By the end of month we should have it in a near completion.

VI. Old Business

A. Infrastructure Projects and Changes in Election Administration: These items were addressed in the earlier reports.

B. Electronic Poll Books: Judd Ryan of ES&S reported that ES&S is working with staff to get the Department of Justice's (DOJ) form incorporated into the poll worker's check-in module. Having these forms completed early on Election Day morning will help the Board get their reports to the DOJ.

C. Voting Equipment: addressed earlier.

D. Legislation

General Counsel Adam Lasker reported:

- Few bills have passed with little noteworthy. However the jail voting bill passed both houses, but as of yet it has not been signed. It bill would require all election authorities to coordinate with the county jail a Vote by Mail program. Counties with more than three million registered voters would need to establish a temporary branch polling places at the jail. If signed into law, we would set up temporary polling place at each jail location.
- An omnibus bill was introduced very late in the session. Amendments to the bill would extend the final action deadline to June 30th. As such, there is a chance that this bill may pass by the end of the month.
- There are two bills that deal with the Open Meetings Act (OMA). One would allow the training requirement to be fulfilled by private organizations, provided that they meet all of the requirements set forth by the Illinois Municipal Code.

The other bill (which has passed both houses), House Bill 2124 (HB2124), amends the OMA to allow closed sessions to discuss the performance of any contractor's temporary employees. Currently only employees may be discussed in closed sessions

VII. New Business

A. Amendment to the By-Laws of the Chicago Board of Election Commissioners to allow the Assistant Executive Director to sign and execute contracts, checks and other instruments in the absence of, or at the direction of, the Executive Director.

Mr. Lasker explained that the proposed amendment is at the request of Mr. Gough and Mr. Holiday. Taking authority that is expressly granted to the Board in the By-Laws, such as signing of contracts checks and other instruments, that authority has already been expressly delegated to the Executive Director. They are asking that in the absence of, or at the direction of, the Executive Director, that the authority be extended to the Assistant Executive Director. Mr. Lasker pointed out that Article 5 of the By-Laws allows the Board to amend the By-Laws.

Commissioner Kresse moved to adopt this amendment to the Board's By-Laws. Commissioner Swain seconded the motion. The motion passed and the By-Laws were amended by unanimous vote of the Board.

B. Attorney Contractor Agreement between the Board of Election Commissioners for the City of Chicago and Lasker Law LLC (General Counsel).

1. Appointment of Adam W. Lasker to serve as General Counsel for the Board of Election Commissioners for the City of Chicago.

The terms of the agreement are the same as last year, with the only change as to the dates. It is a 1-year agreement.

Mr. Lasker stated that the Illinois Election Code allows the Board to hire an attorney and that the By-Laws make the General Counsel an

officer of the Board. Mr. Lasker requested that the Board separately appoint him to that position

Commissioner Swain moved to appoint Mr. Lasker as General Counsel and to approve the attorney contractor agreement between the Board of Election Commissioners and Lasker Law LLC. Commissioner Kresse seconded the motion. The motion passed by unanimous vote of the Board.

C. Professional Services Agreement between Board of Election Commissioners for the City of Chicago and: LFG requests that it be differed. SK

1. Dean Ftikas
2. JPA Consulting Group, Inc.
3. Guillermo Perez
4. Gary M. Ryczyn
5. Sarita Villarreal
6. Shobhana Johri Verma

Mr. Gough requested that the Board defer consideration on these Professional Services agreements until the next meeting, as there are some items that need to be added to this item. Commissioner Swain moved to postpone these matters until the next meeting. Commissioner Kresse seconded the motion. These matters were postponed until the next meeting by a 3:0 vote of the Board.

VIII. Legal Report

General Counsel Adam Lasker reported as follows:

- The General Counsel has been working with several groups to memorialize and write our contingency plans, including, from the Legal Department perspective, updating emergency forms and templates to be used in emergency situations when we need to get emergency relief from the court. Mr. Lasker gave a “tip of his hat” to James Scanlon, his predecessor at the Board, who left behind a great database that gives Mr. Lasker a foundation from which to build.
- He has started preparing for our 2020 calendar/information pamphlet for the March Primary and the November elections.
- There was a 7th Circuit Court of Appeals decision last week in the Acevedo lawsuit. In that case some county-wide candidates from 2016 challenged the signature requirements. With this decision, county-wide signature requirements in Cook County will remain at 0.5% of the ballots cast at the last election.
- Our Appellate Court brief is due in the city-wide term limit case.
- Mr. Lasker is working on catching up on executive session meeting minutes.
- The 5th Ward election contest from the April election is still pending. The Motion to Dismiss has been filed on the Hairston side. It is in the process of being briefed.

As a reminder, the Board proclaimed in the official results that Hairston was the winner. This will not change unless the court orders otherwise.

- Mr. Lasker is working with Ms. Sisavanh Baker, the new General Counsel in the Cook County Clerk's office, on a chapter of the Illinois Municipal League's publication about election authorities and how to run elections. There are other attorneys with whom the Board is familiar who are drafting other chapters of the book.
- No word regarding Continuing Legal Education (CLE) credits for attorneys serving as Judges of Elections, but it is in the works.

IX. Financial Report

D. Balance Sheet and Voucher Listings for the City of Chicago – 2019 Appropriation – 19-02 dated June 11, 2019 in the amount of \$ 9,110,496.85. Commissioner Kresse moved to approve the Financial Report. Commissioner Swain seconded the motion. The motion passed and the report was approved by a 3:0 vote of the Board.

X. Public Comment: None.

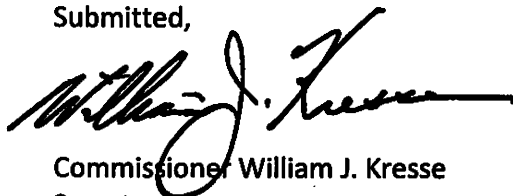
XI. Executive Session: Commissioner Swain moved to enter into executive session to discuss employment matters. Commissioner Kresse seconded the motion. The motion passed by unanimous vote of the Board. The Board entered into executive session at 11:26 a.m.

The Board returned to open session at 12:00 p.m. [Commissioner Swain was absent when the Board returned to open session.]

The Chair announced that the Commissioners took no action while in executive session and there was no further business at this time.

XII. Adjournment: Commissioner Kresse moved to adjourn until the next scheduled Board meeting on June 25 at 9:30 AM. Chair Hernandez seconded the motion. The Board voted 2:0 to adjourn. The meeting was adjourned at 12:03 p.m.

Submitted,



Commissioner William J. Kresse
Secretary